

Application No. 10/087,595

REMARKS

Claims 1-20 are pending. By this Amendment, claims 19-20 are canceled, claims 8 and 10 are amended. No new matter has been added by the amendment. Reconsideration and allowance of the application, as amended, are respectfully requested.

Claims 8 and 19 have been rejected under 35 U.S.C. §102 as being anticipated by Bates (U.S. Patent No. 6,378,393). Claims 9-11 and 20 have been rejected under 35 U.S.C. §103 as being unpatentable over Bates ('393) in view of Gudlin (German Patent No. DE 197 42 573 A1). Rejections under 35 U.S.C. §§102, 103 require that the prior art disclose every claimed feature. Applicants respectfully traverse the rejections.

A feature of the presently claimed invention is that a switch is provided for connecting the movable member to the power transmitting member when manipulated. The power transmitting member is driven in response to operation of the movable member when the movable member is connected to the power transmitting member by the switch, and the parking lock state of the transmission is changed to the release state in accordance with the driving of the power transmitting member. The switch is manipulated only when normal functioning of the transmission control device is hampered.

Bates ('393) discloses an apparatus for manually shifting an electronically controlled transmission. Bates discloses a switch 280 located between the knob portion 170 and the ring portion 248 of the sleeve 240. The collar of the switch can be removed during normal functioning of the transmission control device and when the transmission control device is hampered. This is different from the claimed feature.

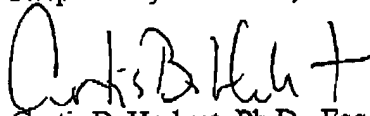
Gudlin (DE 197 42 573 A1) discloses a shift lever 10 connected to a transmission via a cable 16. However, Gudlin fails to disclose the claimed feature.

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Therefore, the cited publications do not set forth every claimed feature. In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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